

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF	Victor P. Capaldi	COURT CASE NUMBER	04-10843-JLT
DEFENDANT	F/V Georgie J.	TYPE OF PROCESS	Order of Sale
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN		
	F/V Georgie J.		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
	Fairhaven Shipyard, 50 Fort Street, New Bedford, MA 02719		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	
Carolyn M. Latti Latti & Anderson LLP 30-31 Union Wharf Boston, MA 02109	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

See Order

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
<i>Carolyn M. Latti</i>		(617) 523-1000	9-28-04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	1	No. 38	No. 38	<i>James Jalauera</i>	9/28/04

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service
	10/20/04 12:00 pm
	Signature of U.S. Marshal or Deputy
	<i>[Signature]</i>

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
\$360.00	43.80		403.80			

REMARKS:

10/20/04 - 12:00 p.m. - Sold at auction F/V Georgie J. for 1,700,000 dollars.
Auction conducted at Fairhaven Shipyard, Fairhaven, MA.
2-DUSM@45.00@ 4 hrs
J.S.

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

VICTOR P. CAPALDI
Plaintiff

v.

F/V GEORGIE J, her engines, boilers, equipment,
machinery, tackle, furnishings, apparel, appurtenances,
etc., including, but not limited to, its commercial fishing
licenses, permits, limited entry rights, quotas, moratorium
permits/licenses, and all other fishing rights, history,
privileges, or entitlements arising from, issued to,
attaching to, or appurtenant to said vessel, *in rem*
Defendant

Civil Action
No. 04-10843-JLT

ORDER FOR INTERLOCUTORY SALE OF F/V GEORGIE J ON OCTOBER 20, 2004

TO THE UNITED STATES MARSHAL FOR THE DISTRICT OF MASSACHUSETTS
OR HIS DEPUTIES:

WHEREAS, the expenses of the attachment and the keeping of the defendant vessel, F/V
GEORGIE J. (O.N. 502064), *in custodia legis* are continuing and include the fees of the United
States Marshals Service and the court-appointed substitute custodian; and

WHEREAS, Plaintiff has shown good cause for an interlocutory sale and that it is in the
best interests of all concerned parties that defendant vessel be sold;

Accordingly it is hereby ORDERED:

CLERK ATTEST AND CERTIFY ON 10/25/2004
THAT I HAVE REVIEWED THE ORDERED BY THE COURT AND
I HAVE FILED A CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BY: [Signature]

That the Defendant vessel, F/V GEORGIE J. (O.N. 502064) her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, (hereinafter referred to as the "Vessel"), shall be sold by the United States Marshal for the District of Massachusetts, or one of his deputies, at public auction, free and clear of all liens and encumbrances, to satisfy the costs and expenses of the United States Marshals Service, the substitute custodian, and Plaintiff herein, and to satisfy, in whole or in part, the judgment which Plaintiff and any other interested parties seek to have entered against the said Vessel in this matter.

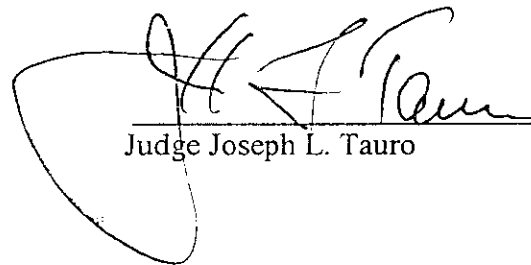
YOU ARE THEREFORE COMMANDED TO:

1. Sell the defendant vessel, F/V GEORGIE J. (O.N. 502064), her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, arising from, issued to, attaching to, or appurtenant to the said vessel, at public auction for the highest price that can be obtained, free and clear of all liens and encumbrances.

2. The sale which is subject to confirmation by the District Court is to be held upon or adjacent to the Vessel which is located at Fairhaven Shipyard & Marina, Inc., 50 Fort Street, Fairhaven, Massachusetts 02719 on October 20, 2004 at 12:00 pm time.
3. Require Plaintiff to give notice of the date, time, and place of the sale to (i) the vessel owner and all mortgages and lien holders of record with the United States Coast Guard's National Vessel Documentation Center, by first class mail; (ii) the public-at-large by advertising same at least once per week for two successive weeks in the New Bedford Standard Times and the Boston Herald, the first notice to be published at least seven (7) days prior the date of sale;
4. That the United States Marshal be directed to require at said sale to have a minimum bid of \$1,000,000.00;
5. Require the highest qualified bidder at the sale, a person eligible to own a documented vessel under Title 46 of the United States Code, to deposit with the United States Marshals Service the sum of \$100,000 in cash or certified or bank check payable to the United States Marshal for the District of Massachusetts, with the balance to be paid at or before the confirmation hearing.
6. Pay or deliver into the Registry of the District Court any and all monies or notes received as a result of the sale.
7. Prepare such documents and reports as may be necessary for the confirmation of sale by the District Court. The confirmation hearing shall be held at the United

States District Court for the District of Massachusetts at Boston on November
15, 2004 at 10:00. The time and date of the confirmation shall be set forth
in the notice of sale to the owner of the vessel, the mortgagees, the lien holders of
record, and shall be announced to the public-at-large at the sale.

Dated at Boston, Massachusetts on this 24th day of Sept., 2004.



Judge Joseph L. Tauro

Dated: 9/24/04